

14. Conducting a Business in the Home

(See Zoning Ordinance [§78-402.7\(k\)](#), *Home-Based Businesses Including Daycare or Childcare*)

The Town of Herndon Zoning Ordinance User Guide series provides the public with general information on land use regulations affecting activities undertaken by the public and administered by the Herndon Department of Community Development. It is not intended to be a complete statement of all applicable regulations. Individuals are encouraged to contact the Department of Community Development at community.development@herndon-va.gov or 703-787-7380 for complete permitting requirements.

Are permits required to conduct a business from the home?

Yes. Permits include:

- ☐ Zoning Inspection Permit;
- ☐ Business License;
- ☐ Special Exception – some uses are subject to approval by the Planning Commission and Town Council.

What is a home-based business?

A home-based business can be any lawful business that meets the standards described in the zoning ordinance in [§78-402.7 \(k\)](#), *Home-based businesses including Day care or Childcare*. Telecommuting is normally not regarded as a home-based business.

Why does the town regulate home-based businesses?

The town regulates home-based businesses to preserve the tranquility of its residential neighborhoods and to prevent home-based businesses that may have a negative impact on nearby residents. Allowing home-based businesses fosters economic activity and supports the technology and information services industry that is so prevalent in the area.

What limitations are there on home-based businesses?

A home-based business must:

- ☐ Be incidental and secondary to the use of the dwelling as a place of residence;
- ☐ Occupy no more than one-third of the principal dwelling up to a maximum of 1,000 square feet;
- ☐ Be conducted by an occupant of the dwelling;
- ☐ Be conducted entirely within an enclosed building;
- ☐ Limit deliveries to three per day if on a private street or four per day if on a public street;

- ☐ Not cause noise, vibration, smoke, radiation, dust, odor, heat, glare, and other effects that are perceptible across the property line;
- ☐ Not cause an increase in solid waste over normal residential use
- ☐ Allow no more than three customers on the site for more than two consecutive hours per day;
- ☐ Allow no more than two employees who do not reside in the home; and
- ☐ Allow no more than four total arrivals per day of employees, clients, customers or associates.

What home-based business activities are prohibited by the town?

- ☐ On-site storage or presence of explosives, hazardous materials, or any substance or activity that is determined to constitute a threat to the public health or safety of the town;
- ☐ On-site provision of any service to clients or customers other than by appointment;
- ☐ On-site sale of any goods, services, items, or property other than by appointment
- ☐ On-site restaurant, carry-out service, or any business involving preparation of food, except special occasion cakes;
- ☐ On-site servicing, repair, or painting of motor or other vehicles, or any motorized equipment excluding small household appliances and personal computers;
- ☐ An animal hospital, kennel, or any other business involving the on-site care or feeding of animals;
- ☐ A boarding house or inn, or the like;
- ☐ A mortuary or funeral home, or the like;
- ☐ A delivery service by which goods or other property to be delivered are stored or brought on-site, excluding a business that involves the purchase, processing, and delivery of goods or other property in a manner consistent with the zoning ordinance;
- ☐ A welding or machine shop or a pipe fitting operation, or the like;

- ☐ Rental of on-site equipment, on-site goods, or on-site property or the like;
- ☐ Rental, use, dispatch, sale, or lease of a hearse, ambulance, wrecker, or tow truck, taxi or limousine, only when such a vehicle is brought to the site or to the vicinity of the site of the home-based business. An individual, however, may

operate a taxi or standard passenger vehicle for hire as a home-based business provided that only one such taxi or standard passenger vehicle is present at or in the vicinity of the subject dwelling;

- ☐ A nursing home or the like; or
- ☐ Similar uses

Need more information?

Have a question regarding required permits, the permit process, or application requirements? Call 703-787-7380 or e-mail community.development@herndon-va.gov to make an appointment to see a member of the Department of Community Development.

Have a question regarding Building Permits or construction codes? Call 703-435-6850 or e-mail buildinginspections@herndon-va.gov to make an appointment to see the Building Official.

Visit the Planning/Zoning page on the Town's web site at www.herndon-va.gov to view the Department of Community Development web site for the Zoning Ordinance User Guide series or to access the town code. Town offices are located at the Herndon Municipal Center at 777 Lynn Street, Herndon, Virginia, 20170.

User's Guide to the Zoning Ordinance Series

1. Neighborhood Meetings and Public Participation in the Planning and Zoning Process
2. Zoning Map Amendments
3. Signs
4. Special Exceptions
5. Site Plan Review Procedures
6. Single Lot Development
7. Chesapeake Bay Provisions
8. Traffic Impact Studies
9. Subdivision Site Plans
10. Unified Commercial Subdivisions
11. Performance Guarantees
12. Heritage Preservation Regulations
13. Board of Zoning Appeals
14. Conducting a Business in the Home
15. Fences
16. Accessory Structures
17. Summary of Permitted and Allowed Uses in the Zoning Districts
18. Summary of Dimensional Standards in the Zoning Districts
19. Commercial Vehicle Parking in Residential Districts
20. Parking on Lots with Single-Family Detached Dwellings
21. Landscape and Buffer Requirements
22. Explanation of Variances, Waivers, Adjustments, and Exceptions
23. Fee Schedule
24. Temporary Use Permits, Special Events
25. Day Care, Child Care, Preschool and Home Day Care
26. Zoning Inspection and Zoning Appropriateness Permits
27. Written (Mailed) Notification to Adjacent Property Owners for Scheduled Public Hearings
28. Refuse Collection on Private Property
29. Exterior Lighting Standards
30. Vacating a Street Right-of-Way
31. Portable Storage Units
32. Building Location Surveys
33. Water Quality Impact Assessments
34. Chesapeake Bay Provisions for Homeowners: Step by Step Approval Process for Single-Family Detached and Duplex Dwellings
35. Roll-Off Dumpsters
36. Bed and Breakfast Establishments